

A regular meeting of the Board of Selectmen was held on December 17, 2009, at 7:00 p.m., in the Francis O'Brien Meeting Room, Town Office Building, 26 Bryant Street, Dedham, Massachusetts.

Present were:

Michael L. Butler  
Sarah MacDonald  
James A. MacDonald  
Carmen Dellolacono  
Paul Reynolds

Mr. Butler called the meeting to order at 7:05 p.m.

In order for Mr. Dineen to make his presentation to County Commissioner Francis O'Brien, Mr. Butler asked the Board of Selectmen if they would take an item on this evening's agenda out of order. The Board granted permission.

#### **PRESENTATION BY JOSEPH DINEEN, AMVETS**

Mr. Dineen, on behalf of the Amvets Honors Award Committee, presented Commissioner Francis O'Brien with the distinguish Amvets Public Service Pilgrim's Award for his community service, especially to the elderly and Town of Dedham Flag Day Celebration.

Mr. O'Brien thanked the Amvets organization and the many people who have worked with him over the years—he thanked everyone for their kind thoughts and donations so that he can take care of the elderly. Mr. O'Brien also thanked the Board of Selectmen, Town Officials and many friend who were here, this evening. Mr. O'Brien introduced his family and thanked everyone for their support.

Mr. Dineen asked all to remember the needy veterans during the Christmas Season. Additionally, he asked everyone to speak with Audrey Insalaco, Town of Dedham Veterans' Agent, if they can give some assistance.

#### **OPEN DISCUSSION**

Beth Lewman, Dedham Girl Scouts, Cookie Coordinator, asked permission to speak with the Board. Mr. Butler granted permission. Ms. Lewman asked the Board if they would grant permission for her Girl Scout Troop to set up a booth in Dedham Square to sell Girl Scout Cookies on Sunday, December 20, 2009, from 1:00 to 4:00 p.m. Ms. Lewman went on to say that the girls are hoping to sell cookies in front of the Dedham Community Theatre and other locations in the Square. Ms. Lewman stated that the Girl Scouts are fully insured.

Ms. Lewman informed all that proceeds from the sale of cookies supports Girl Scouts in Dedham as well as other organizations in Town. Additionally, cookies are sent oversees to our troops and to visitors at the Dedham Food Pantry.

Mr. Butler asked the Board if they wish to take a vote to approve the placement of a booth and sale of cookies. Mr. Dellolacono made a motion to approve the booth and cookie sale; seconded by Ms. MacDonald and voted unanimously.

Sam Celata, 42 Stoughton Road, asked permission to speak to the Board. Mr. Butler granted permission. Mr. Celata made a request that the Board prepare a proclamation to the citizens relative to the right to vote on an Absentee Ballot in the Special Election. Mr. Celata submitted an sample Absentee Ballot to the Board of Selectmen.

#### **CONTINUATION OF THE TAX CLASSIFICATION HEARING**

Present were: Dick Bremer, Chairman, Board of Assessors  
Frank Stapleton, Member, Board of Assessors  
J.P. Burke, Member, Board of Assessors  
John Duffy, Director of Assessing

Mr. Bremer informed all that the Town evaluations are behind considerably because of the delay at the Department of Revenue. He went on to say that due to this delay, the Town's ability to send out the tax bills is impaired—the DOR and Town Staff are inundated. Additionally, the Town Staff has worked diligently to complete revaluation. Mr. Bremer commented that the recommendation of Chapter 183 of the Acts of 2009 is to extend the time for mailing the actual tax bills for fiscal year 2010 until January 30, 2010.

Mr. Bremer informed the Selectmen that it is the recommendation of the Board of Assessors is to continue, in accordance with the last several years, the split commercial/residential—175 % Shift.

Mr. MacDonald made a motion that the Town of Dedham accept Chapter 183 of the Acts of 2009 to extend the time for mailing the actual tax bills for fiscal year 2010 until January 30, 2010; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Mr. MacDonald made a motion to continue classification; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Mr. MacDonald made a motion, upon the recommendation of the Board of Assessors, for the Town of Dedham to adopt the 175% Shift; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

#### **PRESENTATION BY DEDHAM GIRL SCOUTS RE: POWDER HOUSE PROJECT**

This particular agenda item was postponed and will be rescheduled for a future Board of Selectmen's Meeting.

#### **DISCUSSION WITH TOWN CLERK RE: SPECIAL ELECTION & ETHICS REFORM**

Paul Munchbach had a discussion with the Board relative to the upcoming Special Election and also Commonwealth of Massachusetts Ethics Reform. Mr. Munchbach informed the Board that the both the Special Town Election and Special State Election will take place as a dual election to be held in January, 2010. Mr. Munchbach went on to say that having both elections take place at the same time will be a savings to the Town of Dedham—the State will reimburse the Town costs for the Special Election for the U.S. Senate Seat. Mr. Munchbach commented that savings will be approximately \$13, 000 by having the dual election—savings will be in employees, equipment, Police Details, etc.

Mr. Munchbach informed all that the Town of Dedham has not had a dual election in the past. Mr. Munchbach went on to say that he recently observed a dual election held in the Town of Needham.

Mr. Munchbach announced to the public that information relative to the election can be found on the Town's Website and local media. Additionally, there is a specific Instruction Sheet outlining the dual election and proponent/opponent information. Relative to the ballots, the ballots will be color coded-- Town Ballot is coded in a salmon color/Absentee Ballot is dark grey. The State Ballot is coded in all white/Absentee Ballot in white and canary. He commented that by color coding the ballots, the Election Staff will be able to differentiate from both elections.

Relative to Election Day—extra staff will be on hand for Election Day. Mr. Munchbach commented that he has met with the Wardens at the Registrars' Meeting. He will meet with pole workers going forward. Mr. Munchbach informed all that he has notified the principals of the schools to make them aware of the plans for Election Day—the children will have classes.

Mr. Munchbach went on to explain the process, i.e., one Ballot Box and one machine for each precinct; machines will be programmed for the two elections; there will be separate check in/out sheets for the Town Election and State Election and both ballots will go into the same Ballot Box and counted separately.

Mr. Munchbach informed all that there will be staff available for assistance. Additionally, Registrars and Town Clerk will be available at all of the poles. Mr. Munchbach noted that procedurally, he will do what he has always done in the past for all elections.

Ms. MacDonald asked Mr. Munchbach if the School Question is #1 and the Fields Question #2. Mr. Munchbach stated, yes—with a summary after each question.

Ms. MacDonald asked Mr. Munchbach if he had additional workers lined-up. Mr. Munchbach informed her that he brought up additional workers and also trained more.

Ms. MacDonald asked Mr. Munchbach if he could advertise in the Boston Globe. She informed him that they presently have a new Town Section. Mr. Munchbach commented that he will advertise in all of the media.

Mr. Reynolds informed the voters that they do not have to vote in both elections at one time. A voter can vote in one election and then they can still come back again to vote before 8:00 p.m. Mr. Reynolds thanked Mr. Munchbach for all that he does so that things can go smoothly—he commented, "Hats Off". He also thanked Mr. Munchbach for reaching out and being pro-active in registering new voters.

Mr. Reynolds asked Mr. Munchbach for the critical dates relative to voter information. Mr. Munchbach informed all to reach out on the Town Clerk's section or the Town's Website for voting information. He went on to say that critical dates are as follows:

- Last day to register to vote is on December 30, 2009; and
- Last day for Absentee Ballots is on January 15, 2010.

At this point in the discussion, Sam Celata, Stoughton Road, asked the Board for permission to speak. Mr. Butler granted permission. Mr. Celata had concerns with those citizens who are not able to drive to the polls—he wanted every Senior Citizen to have the ability to get out and vote.

- Mr. Munchbach explained to all the process of voting absentee, i.e., not be able to get to location, military, medical/disability reason. Mr. Munchbach stated that he has never turned anyone away; however, he cannot change the State Law relative to the seniors Absentee Ballot request made to his office by Mr. Celata. Mr. Munchbach informed all that Absentee Ballots renew yearly and expire at the end of the year—individuals have to reapply.

To assist further, Mr. Munchbach asked Mr. Celata to drop by his office tomorrow to discuss this matter further.

Going forward with the discussion, Mr. Butler asked Mr. Munchbach to discuss the new Ethics Regulations relative to Public Officials and employees. Mr. Munchbach informed all that as of July 1<sup>st</sup>, there will be an amendment to the State Ethics Law—the law went into effect in October, 2009. He went on to say that the amendment requires additional training and reform. Additionally, there will be on-line training required by the State. Mr. Munchbach informed the Board that Town Clerk will decide who is required to take the test and who is not required. Town Clerk will distribute a copy of the new Ethics Law to Town Employees. He will require a signature that they have received it. Additionally, by April 2, 2010, all those required to take the test will do so on line. The test is approximately 45 minutes in length and it goes through the ethics reform. Once the individual has completed the test, a Certification of Completion will be issued and printed for the file—one copy for Department Head and one copy to the Town Clerk's Office. This certificate expires in six years.

Mr. Munchbach informed the Board that the Town has until January, 2010, to appoint a liaison to the Ethics Commission. The liaison will follow thru with implementation and see that all employees, officials and volunteers comply with the new regulations. Mr. Munchbach commented going forward, the Town will not receive any State funding for implementation, i.e., use of computers, filing system, etc.

Mr. Munchbach commented on the requirements/duties of the Ethics Commission Liaison. He informed the Board that this person must be a senior-level employee. This individual can send out a summary by e-mail and give a receipt to the Town Clerk's Office. This individual will administer testing. Mr. Munchbach went on to say that the School Department has already started the testing process and certificates will still need to be filed with the Town Clerk's Office.

William Keegan, Town Administrator, informed the Board of Selectmen that he has meet with Department Heads to discuss the Ethics Test. Additionally, the School Department will assist with this matter since they have already taken the exam. Mr. Keegan commented that he would like to come into compliance and reminded the Board that this was consistent with their goals. Mr. Keegan recommended that the Board appoint Nancy Baker, Assistant Town Administrator, Ethics Liaison for the Town of Dedham.

Ms. MacDonald made a motion that the Board appoint Nancy Baker Ethics Liaison; seconded by Mr. MacDonald and voted unanimously.

## **VOTE TO RENEW LICENSES FOR 2010**

Ms. MacDonald made a motion to approve all licenses issued by the Board of Selectmen for the calendar year of 2010; seconded by Mr. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

## **Town Administrator's Report**

William Keegan, Town Administrator, began his discussion by extending holiday best wishes to everyone. Additionally, since this was the last meeting of the year, he commented that all should look forward to 2010 as a year of economic resurgence and, hopefully, remembered as one of recovery and a return of prosperity for everyone..

- Mr. Keegan informed all that the Town of Dedham has received the prestigious Kenneth Pickard Award for innovation in local government.
- Mr. Keegan updated all relative to the Trash Program. He commented that the Residents should be commended for adjusting to the program so quickly; however, some residents still need friendly reminders relative to the steps to follow.

## **Action by the Board**

**Vote to extend New Year's Eve Hours of Operation for (On-Premise) Liquor Licenses to 2:00 p.m.** – Mr. Dellolacono made a motion to approve extended the New Year's Eve hour to 2:00 a.m.; seconded by Ms. MacDonald and voted unanimously.

**Request permission to hold Carol Drive and Wesley Street Block Party (December 20, 2009, from 5:00 p.m. until 9:00 p.m.)** –Mr. Dellolacono made a motion to approve the above-referenced Block Party; seconded by Ms. MacDonald and voted unanimously.

**Request by Constable Anthony Zollo for re-appointment**—Mr. Dellolacono made a motion to re-appoint Anthony Zollo a Constable in the Town of Dedham; seconded by Ms. MacDonald and voted unanimously.

**Request from St. John of Damascus Church for (2) One-Day Liquor Licenses for January 10, 2010, (1:00 p.m. until 6:00 p.m.) and January 16, 2010 (8:00 p.m. until 12:00 a.m.)** –Mr. MacDonald made a motion to approve a One-Day Liquor License for January 10, 2010 (Deliveries January 8, 2010, and Pickup January 11, 2010, and Service Only on January 10, 2010); seconded by Ms. MacDonald and voted unanimously. Mr. Dellolacono made a motion to approve a One-Day Liquor License for January 16, 2010,(Deliveries January 15, 2010, Pickup January 18, 2010, and Service Only on January 16, 2010) seconded by Ms. MacDonald and voted unanimously.

**Request by Hilton at Dedham Place to extend Liquor Hours of Operation from 1:00 a.m. to 2:00 a.m. on December 26, 2009**—Mr. MacDonald made a motion that the Board hear an item not listed on this evening's agenda; seconded by Ms. MacDonald and voted unanimously. Mr. MacDonald made a motion to approve the request from Hilton at Dedham Place to extend their liquor hours of operation from 1:00 a.m. until 2:00 a.m.; seconded by Ms. MacDonald and voted unanimously.

## **OLD/NEW BUSINESS**

-Nancy Baker, Assistant Town Administrator, informed the Board that she recently met with the management of Legacy Place to discuss the Traffic Plan and further plans for the Christmas Season. She informed all that Legal Sea Foods is has now opened for business at Legacy Place.

Mr. MacDonald had questions relative to Legacy Place corralling the kids when they visit the area. Ms. Baker informed him that Legacy Place has Rules and Regulations for the location. Additionally, Legacy is now aware of the School Release Days. She went on to say that at the last Release Day, a store in the complex was selling silly string, the children purchased it and it was spread all over Legacy Place. Ms. Baker informed all that Legacy Place Management is working with Lt. Michael D'Entremont, Dedham Police Department relative to policy, i.e., when children visit, they should have a parent on site. Mr. MacDonald informed Ms. Baker that this is the first time he has heard of the Legacy Place Policy, i.e., young children on property without adult. Mr. MacDonald was shocked to hear of this type of policy. He asked that Legacy Management attend a Board of Selectmen's Meeting to discuss their policies further.

-K H & H Liquors, Inc.—Relative to a K H & H Report by Sgt. Michael Buckley, Alcohol Officer, Dedham Police Department, Mr. MacDonald made a motion to call for a Violation Hearing for K H & H Liquors, Inc., re: Open for business in new space without proper license; seconded by Mr. Dellolacono and voted unanimously.

-Ms. MacDonald thanked all for their donations and participation in the Toys for Tots event. She commented that there was an overwhelming response—the donations collected will support the Dedham Youth Commission, Italian Home and Children's Hospital. Ms. MacDonald especially thanked her colleagues Chairman Michael Butler and Carmen Dellolacono for their help in covering the costs for the event.

-Mr. Dellolacono wished his wife, Liza a Happy Birthday. Additionally, he congratulated and wished Nancy Baker, Assistant Town Administrator, Happy 20<sup>th</sup> Anniversary working for the Town of Dedham.

Mr. Dellolacono thanked Mr. MacDonald for bring the Legacy Policies to the attention of the Board of Selectmen.

Mr. Dellolacono brought to the attention of the Town Administrator an issue of a Central Ave. Resident relative to dumpster removal and Rustcraft Road.

-Relative to the Legacy Policies, Mr. Reynolds asked if people are allowed to ride through the property on bicycles. He went on to say that he has had some discussions with management; however, it is his hope that people are welcome with this type of alternative transportation. Mr. Reynolds commented that one can lower the carbon footprint with a bike.

-Mr. Reynolds discussed concerns relative to the economic impact of Dedham Square. Mr. Reynolds feared a dramatic drop off in January/February. Mr. Reynolds was pleased to hear that Amy Haelson, Dedham Square Circle, and Karen O'Connell, Town of Dedham Economic Development Director, were keeping things in balance and doing research on options for Dedham Square.

Mr. MacDonald made a motion to enter into Executive Session relative to Chapter 39, Section 23B, for the purpose of Collective Bargaining and Litigation; seconded by Ms. MacDonald. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

The meeting did not reconvene in open session.

The meeting adjourned at 8:50 p.m.

This is to certify that the above is a true and accurate record of the Minutes of the Board Selectmen's Meeting of December 17, 2009, which Minutes were approved on May 27, 2010.

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Michael L. Butler, Chairman